III

1950-51 **File No.** 2748/48

B CLASS P.W. DEPARTMENT
E BRANCH (II)

Subject:— Establishment

States merged in the Bombay state
Absorption of

B [illegible]

File No. 2748/48 III E.(II)

Sto. Sectt. Slip 24-A

Std. Sectt. 78 a.

G.R., G.D., No. 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET

Subject :—

File No. 2748/48 III

P.W. DEPT.

E BRANCH. (II)

References :—

Copies from
Separated from the Main file B[7]

Date.	To whom sent.	Notes and instructions.

For further orders please see G.R., P.& S.D., No. FPS 1053 , dt.30-12-53 (ABN 1054) 17137

For further orders pl. see G.R.,P.& S.D.,No.2735/46-II, dt. the 4-1-51.

Fixation of initial pay of the Baroda State Servants , on absorption.

.....

GOVERNMENT OF BOMBAY,

Political and Services Department,

Resolution No. 2735/46-II,

Bombay Castle, 12th September 1950.

Read Government Resolution, Political and Services Department, No. 2735/46-II, dated the 20th May 1949.

RESOLUTION: The pay scales of the Baroda State servants were revised with effect from the 1st January 1948 on the recommen--dations of the Pay Commission appointed by the Baroada State Government. As a result , the cases of most of the Baroda State servants fall under proviso (iv) to rule 3 (1) in Government Resolution, Political and Services Department, No. 2735 /46-II dated the 20th May 1949 and they have been referred to Government for fixation of initial pay as directed in that proviso. After a careful consideration of the question , Government is pleased to direct., in amplification of the orders issued in Government Resolution, Political and Services Department, No. 2735/46-II dated the 20th May 1949, that on their absorption in the service of the Government.of Bombay, the initial pay of Baroda State servants who were drawing pay in the revised pay scales as mentioned above and whose present pay exceeds by 20% or more the basis pay drawn in the State Service on the 1st August 1947 in consequence of the revision of pay scales, should be either;

For further orders , pl. see G.R. P.&S.D. No. 2735/46-II dt. 31-12-51 (ABN 1952/7481)

i) their present substantive pay,

or

ii) the pay that would be admissible under rule 3 (1) of Govern--ment Resolution, Political and Services Department, No. 2735/46-II dated the 20th May 1949 on the assumption that their substantive pay on the date of absorption was equal to their substantive pay on the 1st August 1947 plus 20% thereof;

whichever is higher.

In the case of (i) above, if the present substantive pay does not happen to be a stage in the time-scale in which the State servant is absorbed, the initial pay should be fixed at the

the next lower stage and the difference should be granted as personal pay to be absorbed in future increments.

2. The initial pay fixed as above should be subject to provisos (i) to (iv) in rule 3(1) of Government Resolution, Political and Services Department, No. 2735/46-II dated the 20th May 1949 excepting the portion of proviso (iv) relating to the excess of present pay over pay drawn on the 1st August 1947.

3. Cases in which the excess of 20% or more over the basic pay on the 1st August 1947 in the State service is due to reasons other than the revision of pay scales referred to above, should however continue to be reported to Government, under proviso (iv) to rule 3 (1) in Government Resolution, Political and Services Department, No. 2735/46-II, dated the 20th May 1949.

By order of the Governor of Bombay,

M. D. Bhat,

Chief Secretary to the Government of Bombay,

Political and Services Department.

To

The Secretary to the Governor,

The Secretary to the Bombay Public Service Commission,

The Secretary to the Honourable the Chief Minister,

The Accountant General, Bombay, (through the Finance Department),

The Prothonotary and Senior Master, High Court,

Bombay, (by letter)

The Registrar, High Court, Bombay, (by letter),

All Contractors.,

All other Heads of Departments and Heads of Offices,

under the several Departments of the

Secretariat,

All Departments of the Secretariat,

The Secretary to the Government of India, Ministry of States , (By letter),

The Deputy Accountant General, Baroda, (through the Finance Department),

K

PWD

(Below copy of Government Memorandum Finance Department, No.7240/33/6657-0 dated 16th May 1950 regarding Furlough leave to Jamkhandi State Servants).

No.7240/33/6657-0

Finance Department,
Bombay Castle, 16th May 1950.

Subject:- Representation regarding Furlough leave.

Memorandum.

The undersigned presents compliments to Shri S.S. Hukkeri, B.A.LL.B., Jamkhandi and in continuation of Government Memorandum, Finance Department No.7240/33/6687-0 dated the 20th March 1950 is directed to state that furlough leave is not admissible to Jamkhandi State Servants, who have been discharged or who choose to retire under Government Resolution, Political and Services +Department No.2735/46 dated the 18th July 1949.

A Pf 65-71
File No. 1657/36-IV
Step A

By order of the Governor of Bombay

Sd/- G. R. Palkar.

Under Secretary to the Government of Bombay, Finance Department.

To

Political and Services Department,
Revenue Department,
-Accountant General, Bombay,.
Collector of Bijapur.

No.7240/33/50842(a)

Finance Department,
Bombay Castle, 12th October 1950.

Forwarded to all Departments of Secretariat (except Separate and Revenue Department) for information and guidance.

By order of the Governor of Bombay,

Assistant Secretary to the Government of Bombay,
Finance Department.

2748/48/85529

E.B. (II)

File No. 9694/36 - IX, containing the orders refd. to overleaf, has been put up with file No. 1232/36, which is under submission to the D.S., C.E. & Secy. since the 28-10-50. A note will be taken on those orders when the file in question becomes available.

OS
30/10/50

Resubmit after a note is taken.

Dno
2/11/50

S.A.S.

E (II)
18/10

2748/48

85521

Subject:- State servants under notices of discharge

Interpretation of orders issued in respect of-

No. EST/States.

Bijapur, 18.1.1950.

To

The Accountant General,
Bombay.

Reference: G.R., P.& S.D. No. 2735/46 of 15,12.1949.

As per orders issued by Government in their P. & S. D. Express letter No. 2735/46/17685-F dated 19.4.1949, State servant served with notices of discharge and who were going to be taken up in Supply Department fell under the category " likely to be absorbed" for the purpose of Government Resolution P & S.D. No. 2735/46 dated 28.3.1949 and were allowed to draw minimum pay in the prescribed scales from 1.12.1948. Such State servants are now subsequently reemployed in Supply Department on temporay basis from 1.8.1949 i.e. from the date of formation of New-Set-Up and till then they were continued in their appointments in State service. Pension and gratuity papers of these discharged State servants are to be prepared now and sanctioned for their former services in the State as their present appointments in Govt. service are purely temporary. In this connection, it will have to be considered whether the pay in the prescribed scale, they have drawn from 1.12.1948, will be admissible for calculation of pension which is to be sanctioned for their services in States. The pay they were getting in the State, I think, will have only to be taken into account in calculating their pension.

2. As mentioned in para 1 above, Government have held that such discharged State servants that are taken up in the "Supply Department" fall under the category" likely to be absorbed". It is therefore presumed, in view of the fact, they are continued in Govt. service in temporay vacancies their pension cases need not be considered now, and pension gratuity cases of only those servants who are unwilling to serve further, even though they are re-employe

and...

have applied for grant of leave, pension etc. are to be dealt with and disposed of.

3. You are therefore requested to please clarify both the points referred to above with a view to facilitate to dispose of such pension cases.

sd/-

For Collector, Bijapur.

.....

Subject: Grant of furlough leave to Jamkhandi State servants- interpretation of orders issued in respect of-

.....

No. EST/Leave-S.
Bijapur, 20th January 1950.

To

The Accountant General,

Bombay.

Ref: G.R., P & S.D. No. 2735/46 dated 18.7.1949.

Rule IX of the rules contained in the G.R. referred to above lays down that in all the cases contemplated by Rule III, " all leave due" is to be granted according to State Rules.

2. According to Jamkhandi State Leave Rules, earned leave on average pay for three months at a time is admissible and there is no provision in the said rules regarding the grant of furlough leave. Copy of relevant portion of the said rule is enclosed. It is clearly stated in the State leave rules that " there is no such need of sanctioning furlough and any special kind of leave and if such occasion would arise, the Ruler was to decide such applications following the spirit of Civil Service Regulations." But the latter portion of this rule will not be tenable, as per orders issued by Government in their P & S.D. Express letter No. 2735/46/55234-F dated 26.1.49, in which it is clarified that the words " all leave due" used in the rules accompanying G.R., P.& S.D. No.2735/46/ dated 7.9.48 which is now superseded by G.R., P.& S.D. No. 2735/46 dated 18.7.49 mean - all leave that is due and can be granted according to the existing State Rules. And as the leave rules of Jamkhandi State do not provide for grant of furlough leave etc., in addition to the earned leave on average pay, it cannot be sanctioned now.

Your....

Your are therefore requested kindly to confirm the above presumption at an early date to enable me to take further necessary action in the matter.

Sd/-

For Collector, Bijapur.

-.-.-.-.-.-

No. EST/Leave (States)
Bijapur, 18.1.1950.

To

The Accountant General,

Bombay

Subject:- Grant of leave to discharged State servants.

Reference:- 1. G.R., P.& S.D.No. 2735/46 dated 18.7.1949

2, G.R., P.& S.D.No.2735/46 Dated 15.12.1949.

Applications from the discharged State servants for grant of leave admissible to them in accordance with the above quoted G.R. are to be disposed of . As per rule IX containeud in G.R., P. & S.D. No. 2735/46 dated 18.7.1949, leave is to be granted in such cases according to the State Rules. State servants of Jamkhandi, Gundal & tikota who were und er notices of discharge, were continued in their posts in State service beyohd the period of notice up to the formation of New Administrative Set-up i.e. 31.7.49 under Government Orders. Some of these discharged servants were re-employed purely on temporary basis from 1.8.1949 in Revenue & Supply Departments etc. and after serving there for one or two months, they have now applied for leave pension etc. for their previous State service, admissible to them in accordance with the above G.R.

This position now present difficulty in granting to them leave concession as they were re-employed in fresh temporary appointments in Government service, and after serving in their new posts they have now applied for leave which, it is presumed, will not be admissible to them as they did not apply for leave immediately before or after the termination of their State services(i.e. 31.7.1949), but they continued in fresh temporary appointments. Under the circumstances, they will not be now eligible for any leave but to pension or gratuity only for their services in

the....

the States till they wre ~~xxxxxxx~~ actually discharged.

The above presumption may please be confirmed or other-wise this point may kindly be clarified in the light of G.R., P.& S.D. No. 2735/46 dated 18.7.49 to enable me to take further necessary action in such cases. A very early reply in this respect is requested as the pension /gratuity papers could not be prepared until the applications for leave disposed of.

Sd/-

for Collector, Bijapur.

~~EXPRESS LETTER~~

EXPRESS LETTER

From: Restis, Bombay

To : The Collector of Bijapur

No. 2735/46-15023-F Bombay Castle, 1st November 1950

Subject:- State servants interpretation of orders issued in respect of the-

Reference your letter No. EST/Pen- S dated the 27th Febru-ary 1950 addressed to the Financial Advisor, Finance Department, on the subject mentioned above.

2. As regards point (1) all State servants absorbed whether in a permanent or temporary capacity should be held eligible for concessions admissible in accordance with rules III and IV of Government Resolution, Political and Services Department No. 2735/46 dated the 18th July 1949, if the conditions laid down in Government Circular, Political and Services Department No. 2967/46.G, dated the 14th November 1949 is fulfilled.

As regards point (ii), the pension papers of the re-employed State servants can be submitted to the Accountant General, Bombay provided you a re-satisfied that such persons who were held as likely to be absorbed are not likely to be permanently absorbed, bearing in mind the provisions of Bombay Civil Services Rules 329 and 330.

As regards point (iii) , the pay drawn by the State Servants in the prescribed scales with effect from the 1st December 1948 should count for fixation of their pensions. This however should not be applied to cases of gratuity to be calculated on the average of last three years prior to the date of merger in accordance with rule IV of Government Resolution, Political and Services Department No.

2735/46 dated 18th July 1949.

As regards point (iv), your attention is invited to Government endorsement, Finance Department No. 7240/33-6657-O, dated the 17th May 1950, according to which furlough leave is not admissible to Jamkhandi State servants who have been discharged or choose to retire under Government Resolution Political and Services Department No. 2735/46, dated the 18th July 1949.

Sd/-

For Chief Secretary to the Government of Bombay,
Political and Services Department.

Copy with a copy of the letter under reply and its accompaniments forwarded to:-

The Accountant General, Bombay (through the Finance Department)

The Deputy Accountant General, Baroda (through the Finance Department)

The Finance Department,

All other Collectors,

All other Department of the Secretariat.

Copy of letter No. FST/Pen-S dated the 27th February 1950 from the Collector, Bijapur to the Financial Advisor, Finance Department, Bombay.

Subject:- Servants of the merged States
interpretation of orders issued in respect of -

Reference: G.R., P.& S.D. No. 2735/46 dated 15.12.1949.

* Copies of my letter Nos. FST/States, Leave/State Leave-S dated 18.1.50 20.1.50 & 18.1.50, to the Accountant General, Bombay, in respect of the above cited subject are enclosed for your perusal. As explained in the accompaning letters, much difficulty is experienced in the dispos-al of cases for grant of leave, pension etc., to the discharged retireed State servants. So, the Accountant General, Bombay, was requested to clarify the following points:

(i) Whether the discharged State servants re-employed tempor-
-arily immediately after the date of their discharge in
Supply Departemtns etc., will be eligible for leave con-
-cession in accordance with G.R., P.&S.D. No. 2745/46 of
18.7.49, if they choose to retire after their reappointment.

(ii) Whether the pension cases of discharged State servants re-
-employed in Supply Departments etc. and held as "likely to be
absorbed" are to be disposed of now, and if so.,

(iii) Whether the pay they have drawn in the prescribed Bombay
Scales from 1.12.1949 will be admissible for the
calculation of their pension.

(iv) Whether the State servants of Jamkhandi will be eligible
for furlough leave, as mentioned in my accompanying letter
No. EST/Leave-S of 20.1.50.

2. Clarification on these points from the Accountant General, Bombay, is still awaited, in spite of reminders. You are therefore requested kindly to clarify the above points referred to in the accompanying letters to enable me to take further action in such early.".

.....

Submitted through the Commissioner , S.D.,Belgaum

No. EST/Pen-S

Bijapur, 27 th Febr. 1950.

Advance copy, with accompaniments , submitted to Government in Finance Department, Bombay.

2. Copy forwarded w.c. to the Accountant General, Bombay.

Sd/-

For Collector, Bijapur.

Express letter.

From - Estis, Bombay.

To- The Collector and Chief
Administrator, Surat.

No. 2967/46/3705-G. Bombay Castle, 18th May, 1949.

Reference your letter No. A.D. M. 404, dated the 18th March 1949 regarding the absorption of State Servants.

2. Government is pleased to direct that benefits of rules 3 and 4 of the Rules printed as an accompnaiment to Government Resolution,

Political and Services Department, No. 2735/46, dated the 7th September 1948, should also be given to those State servants who choose to retire within three months from the dates of their absorption in Government service or the issue of those orders, whichever is later.

M. D. Bhat,
Chief Secretary to the Government of Bombay,
Political and Services Department.

Copy, with a copy of a letter under reply forwarded to the:-
All other Chief Administrators,
Accountants General, Bombay (through the Finance Department)
Finance Department.

COPY

Copy of a letter No. A.D.M. -404, dated the 18th March 1949, from the Chief Administrator, Surat addressed to the Chief Secretary to the Government of Bombay, Political and Services Department.

Subject: Absorption of State servants

In accordance with Government Circular (confidential) Polit-cal and Serviced Department No. 2735/46F dated 28-19-48 I have absorbed some of the State sergants of Panada, Dharampur and Sachin in the District Establishment with effect from 1-12-48 on a probationary period of one year with a view to determining the question of their permanent retention or otherwise on mertits.

Now one Mr. S.N. Karnik of Dharampur who was absorbed as a talati in the District Establihsment requested to allow him to ret-re on account of his indifferent health. His request has been sanctioned. Similar cases may also arise as some of the absorbed personnel may not be of the required standard and naturally after serving for some time, they may choose to retire. The question, therefore, is whether the benefits of rules 3 and 4 of t Rules printed as accompaniments, to Government Resolution, Politie and Service Deptt. No. 2735/46 dated 7-9-48 should be given.

In fairness, those who choose to retire within the probati-ary period of one year, should be given the benefit as this period....

period would determine their suitability.

Early orders may kindly be passed.

These orders have been cancelled G.R.P.& S.D. Nos. 2735/46,dt. the 29-11-51(PAS2451 113086)

For further orders Pl. See G.R.,P.& S.D. No.2735/46/15023-f, dt. the 1-11-50.

GOVERNMENT OF BOMBAY
Political and Services Department,
Circular No.2967/46-G
Bombay Castle, 14th November 1949.

Read Government letter, Political and Services Department, No. 2967/46/8705-G, dated the 18th May 1949.

In modification of the orders contained in the Government letter referred to above, Government is plea sed to direct that the period wihtin which the State servants may be allowed to exercise their option to retire shoud be tree months from the date of their absorption or the 30th November 1949, whichever is more liberal.

By order of the Governor of Bombay

M.D. BHAT.

Chief Secretary to the Government of Bombay,

Political and Services Department.

To

All Collectors (except the Collectors of East Khandesh, West Khandesh, Kanara and Bombay Suburbah District),
All Heads of Departments and Heads of Offices under the Several Departments of the Secretariat,
The Accountant General, Bombay (Through the Finance Department),
The Finance Department,
All other Departments of the Secretariat.

...ued by G.R.,
P.& S.D. No.2735/46,
dt. the 30-5-51
(ABN 1051/54214)

No. 2735/46-24452-F.
Political and Services Department,
Bombay Castle, 11th December 1950.

From

Shri M.D. Bhat, I.C.S.,
Chief Secretary to the Government of Bombay,
Political and Services Department

To

The Accountant Genera, Bombay
(through the Finance Department)

Subject:- Compensation pension cases due to merger of States- abnormal increases in pay granted by the former States prior to integration.

Sir,

With reference to paragraph (iii) of Government letter, Political and Services Department, No. 2735/46- 11933-F, dated the 20th April 1950 on the subject mentioned above, I am directed to state that the question raised therein has since been decided by Government. Accordingly cases in which abnormal increases in pay of the former State servants were granted by the former State Government prior to the integration may be regulated as follows-

(1) In the case of the former State servants other than the Baroda and Cambay State servants, if the pay at the time of retirement is not higher by 20% of more, than the basic pay on the 1st August 1947, it should be allowed for the purpose of fixation of pension.

vide G.R., P.& S.D., No. 2735/46-24432-F, dt. the 31-3-51.

(2) In the case of former Baroda and Cambay State servants whose pay was increased as a result of general revision of pay-scales on the basis of high cost of living, the increases in pay should be allowed even if they are higher by 20% or more than the basic pay on the 1st August 1947.

(3) Cases other than those of the former Baroda and Cambay State servants in which the pay at the time of retirement is higher by 20% or more than the basic pay on the 1st August 1947 should be reported to Government for orders.

Yours faithfully,
M.D. BHAT,
Chief Secretary to the Government
Political and Services Depart

copy forwarded to:- Copy

The Deputy Accountant General, Baroda (Through the Finance Department) with with 10 spare copies.

The Finance Department,

All other Departments of the Secretariat,

All Heads of Depar-tments under the several Departments of the Secretariat, with reference to Government endorsement Political and Services Department No. 2735/46-24452-F, dated the 21st June 1950.

Superseded by G,R., P.& S.D. No.2735/46,dt. the 30-5-51 (ABN1051/54214)

No. 2735/46-F.
POLITICAL AND SERVICES DEPARTMENT.
Bombay Castle, 8th December 1950.

Subject:- Grant of special compensation Gratuity to retired State Personnel.

MEMORANDUM.

The undersigned presents compliments to the Accountant General, Bombay, and with reference to his letter No. PR-III/States /1024, dated 20th June 1950, on the subject noted abive is directed to state that Government is pleased to pass the following orders on the various points raised by him:-

(i) Whether " Pensionable service" should include leave period. The period of leave granted preparatory to discharge or retirement should be included in " Pensionable Service" for the purpose of special compensatio. gratuity even though it is non-pensionable under Bombay Civil Services Rule 239.

(ii) Whether persons with purely temporary service should be allowed to count half of that service towards special compensation gratuity- Half the temporary service should count towards special compensation gratuity as in the case of pension.

(iii) Ghanting of half the temporary service towards special compansation gratuity.- As in the case of pension, half the tempora.y service should count towards special compensation gratuity. The anomalies pointed out by the Accountant General would not then arise.

(iv) Whether continuous service without confirmation should count towards special compensation gratuity.- Only Half of" continuous service without confirmation " should count towards special compensation gratuity.

(v) Whether the letter (a) below rule IV (ii) in Government Resolution, Political and Services Department No. 2735/46, dated 18th July 1949 is not superfluous.- The letter (a) below rule IV (ii) has crept in through mistake. The correct position is that rule IV has three clauses viz. (a),(b) and (c) and clause (a) has two sub-clauses viz.(i) and (ii).

(vi) Whether " 1/24th of a month's pay" includes Pay other than substantive pay etc.- The pay last drawn (and not substantive pay) on the date of retirement (and not on the date of merger) should be taken into account for the purpose of

special compensation gratuity.

(vii) Applicability of conditions of Bombay Civil Services Rules 9(41) (A), 230 A, etc., for fixing pensions.- The conditions of Bombay Civil Services Rules 9 (41-A), 230-A, 240-A, etc. should apply in fixing the pension of all State servants as it is intended to treat them as new entrants for the purposes of pension.

By order of the Governor of Bombay,

S.G. DESAI,

for Chief Secretary to the Government of Bombay,
Political and Services Department.

To

The Accountant General, Bombay (through the Finance Department),

Copy, with a copy* of the letter to which it is a reply forwarded to:-

The Deputy Accountant General, Baroda (through the Finance Department),

All Collectors,

All Heads of Departments and Heads of Offices under the several Departments of the Secretariat,

The Secretary , Bombay Public Service Commission,

The Finance Department,

All other Departments of the Secretariat.

* Printed separately.

Pol. & S.H.113

No. of 1950.

Copy forwarded for information and guidance to

Copy of the letter from the Accountant General, Bombay, No. Pn. III/States/1054, dated 20th June 1950, addressed to the Chief Secretary to the Government of Bombay, Political and Services Department.

Subject:- Grant of special compensation Gratuity to the retired State Personnel.

I beg to refer to para. IV(b) of the Government Resolution, Political and Services Department, No. 2735/46, dated 18th July 1949 and to state that the following difficulties are experienced in application of the procedure laid down for the calculation of special compensation gratuity. Government may therefore kindly be moved to clarify the position to enable this office to decide the claims for the special compensation Gratuity of the retired State personnel.

The term " Pensionable service" occurring in para. IV(B) is not clear for the following reasons:-

(1) Ordinary " The pensionable service" is nothing but "duty" as defined in rules 239 (and 240) Bombay Civil Services Rules which excludes all leave after 1st January 1922 and includes the temporary service (valued at ½ as permanent) specially allowed to count for pension plus leave which is to be treated as duty under Rule (III) of the G.R.,P.& S.D., No.2735/46, dated 18th July 1949. The amount of pension is based on the length of such duty. The duty for the purpose of pension will therefore differ from the pensionary-able service that is to be taken for the purpose of grant of special compensation gratuity under para. IV(b) of the G.R. since the leave granted preparatory to discharge or retirement has been allowed as " duty" counting for pension, under para. iii of the G.R. It is not clear whether the leave allowed as duty under para. iii also qualifies as " Pensionable Service" for the grant of special compensation gratuity (though it is non-pensionable under rule 239, Bombay Civil Services Rules).

(2) Since para. IV(c) contemplates that the concession of counting temporary service at ½ of its value is to be excluded for the grant of special compensation gratuity it is not clear whether a person with purely temporary service who is eligible for an ordina-ry pension or gratuity under the P. & S.D. Letter No. 2735 /46/5882-F, dated 22nd February 1950, is entitled to the special compensation Gratuity. As this concession has been given by Government after the issue of the original orders of 18th July 1949, a clarification is necessary.

(3) According to the procedure of calculating special compensation gratuity laid down in para. IV(b), a State servant would get more pension by way of more duty and more special compensation gratuity by way of less pensionable service after omitting the temporary service as contemplated in para. iv(c) in the case of persons who may have rendered duty for pension a little over 180 months. It is not therefore clear whether it is the intention of Government to allow State servants with more than 180 months service special compensation Gratuity not less than that admissible to one with, say the 180 months service. Some examples are given in the statement appended.

(4)..

(4) Continuous service without confirmation in the post counts for pension under some state pension rules. It is not clear whether such temporary service is to be allowed in full to count for special compensation Gratuity too.

(5) The order regarding eligibility to a special compensation pension has been brought under clause IV(ii) of the G.R. dated 18th July 1949 and this has raised a doubt whether the special compensation Gratuity is or is not intended to be paid to State servants with less than 9 years duty. In this connection it may be stated here that it appears from the Rule IV that the letter (a) below Rule IV (ii) appears to be superfluous as otherwise (a) standing immediately after (IV) has no purpose.

(6) It is not clear whether the term 1/24th of a month's pay (and not average salary) includes also pay other than substantive pay last drawn and whether it is the intention of Government to allow the pay last drawn on the date of merger or on the date of retirement. (In this connection please refer to orders of Government in para. 2 (iv) of F.D. letter No. 2735/46-11933-F, dated 20th April 1950.).

Government Resolution, Political and Services Department, No. 2736/46, dated 10th December 1949, admits the grant of pension to the retired States servants according to the scale (iv) of 282 Bombay Civil Services Rules. It is however not clear whether the conditions of Bombay Civil Services Rules 9 (41) (A), 230 A, 240A etc. are also intended to be applied for fixing the pension in the cases of all State servants.

Favour of very early reply is solicited.

Copies of Government orders on these points along with a copy of this reference may please be forwarded to all the heads of the Departments for their guidance as the points raised by this office are required by all of them for the settlement of pension claims of retired states personnel.

STATEMENT.

(1) A State servant with 6 years temporary and 20 years permanent service will have 23 years " duty" and will earn full pension. If all these 23 years are treated as pensionable service for special Compensation Gratuity the maximum Special Compensation Gratuity admissible for 180 months would have been diminished by the corresponding

value for 96 months (23 X 12= 276 -180 =96) and taking ... as Rs. 48 at the time of retirement ordinarily he would have been eligible for a Special Compensation Gratuity of Rs. 168 only but according to the instruction issued in Rule IV(6) his pensiona ble service would amount to 240 months (20 X 12) and he would be eligible for a Special Compensation Gratuity of Rs. 240 in addition to full pension.

(2) Another person with 16 years temporary and 15 years permanet service will have rendered duty of 23 years and can get full pension. If the same is treated as pensionable service for Special Compensation Gratuity he could have, if his pay betaken at Rs. 72 per mensem, been eligible for the Special Compensation Gratuity of Rs. 252 against Rs. 540 (for 180 months) in addition to full pension.

Cambay State Servants
Fixation of initial pay of... in the light of the revision of pay scales which was ordered in April 1948 by the Cambay State.

GOVERNMENT OF BOMBAY

Political and Services Department,

Resolution No. 2735/46-II,

Bombay Castle, 12th October 1950.

Read Government Resolution,No.2735/46-II, dated the 20 th May 1949.

Resolution: Government has carefully carefully considered the orders passed by His Highness the Nawab of Cambay as per Huzur Order No. F.28/150, dated the 22nd April 1948 granting benefit of the revised pay scales upto the extent of 50% over the pays drawn by the Cambay State servants prior to the passing of the orders in question and has come to the conclusion that the orders were not issued in anticipation of merger with a view to benefitting the State servants as the revised pay scales do not compare favourably with the revised pay scales sanctioned by Government on the 1st January 1947,. Government is therefore pleased to direct that in spite of the revision sanctioned by the Cambay State authorities, the revised pay scales of the Cambay State servants before the date of...

of integration of the Cambay State should be treated as their basic pays for the fixation of their initial pays on absorption in Government service even if the former exceed by more than 20% of the pays drawn by them on the 1st August 1947 and should not be reported to Government as per proviso (iv) to rule III of the rules contained in Government Resolution, Political and Services Department No.2735/46-II, dated the 20th May 1949. However. cases of those State servants whose pay scales have been increased for reasons other than those mentioned above should be continued to be reported to Government for orders as to the fixation of their initial pay as required under proviso (iv) to rule IV of rules contained in Government Resolution , Political and Services Department, No. 2735/46-II, dated the 20th May 1949.

By order of the Governor of Bombay,

M.D. BHAT

Chief Secretary to the Government of Bombay,

Political and Services Department.

To

The Collector of Kaira,

The Treasury Officer, Kaira,

The Accountant General, Bombay, (Through the Finance Department),

The Finance Department,

All other Departments of the Secretariat.

2748/48/87315

P.W.D.

B.B(IX)

File No. 9697/36 IX containing the G.Rs. quoted overleaf is put up with file No. 1232/48[x], which is under submission with D.S. The C.E. & the Secy. since the 28-10-50 .This will be resubmitted with further disposal as soon as the file No. 9697/36 IX becomes available.

x Fixation of Pay of Shri R.P. Amrit Desai Tempy. Ex. Engr.

Id/-

3-11-50

Id/-

10/11/50

F B (I). P.W.D.

The necy. note has been made on the office copy of G.R., P.& S.D. No. 2735/46-II, dated the 20-5-49.

2. The P. & S.D. may be requested to forward copies of the G.R. overleaf to the Ex. Engr., Kaira Dn. and the S.E., N.G.C.,

Id/-

30-11-50 Thro. FB(II).

If the dgte quoted in para 1 above is correct (papers ard not put up), the dated occurring in the preamble overleaf requires correction.

2. The orders overleaf do not bear the word " Resolution."

3. P. & S.D. will pl. attend to the above 2 points in addn.

Id/-

1/12/50.

U.O.R. to the P.& S.D. dated 2-12-50.

No. 2735/46-6914-F.
Political and Services Department,
Bombay Castle, 12th January 1951.

From

Shri M.D. Bhat, I.C.S.,

Chief Secretary to the Government of Bombay,

Political and Services Department.

To

The Accountant General, Bombay

(through the Finance Department).

Subject:- Fixation of pay and seniority of servants of the state which have been merged in the Bombay State.

Sir,

With reference to your letter No. TA/PAY/1791 dated the 23rd February 1950, on the subject mentioned above, I am directed to state as follows:-

Paragraph 1:- The presumption made by you is correct. Necessary orders defining the date of absorption have been issued in Government Express letter , Political and Services Department, No. 2735/46-62235-F, dated the 3rd January 1950. Copies of this letter have been endorsed Heads of Department vide Government Endorsement , Political...

Political and Services department No. 2735/46-F, dated the 27th June 1950-(Copy enclosed for ready reference).

Paragraph 2 and 3:- The view expressed by you is correct.

Paragraph 4:- In case of the absorbed state servants, other than those who were entitled to the biennial increments while in the state service, the increment should be granted on the date on which it is earned in the prescribed scale i.e.,,after the person concerned has put in service for full incremental period from the date of his absorption in the Bombay State Service.

Paragraph 5:- The question of regulating the incremental period of such absorbed state servants who were entitled to the biennel increments while in service under the former states is under consideration and necessary orders will be issued shortly.

Yours faithfully,

G. Z, Wanjara.

For the Chief Secretary to the Government of Bombay,

Political and Sergices Department.

No. 2735/46-8914-F.
Political and Services Department,
Bombay Castle, 12th Jannuary 1951.

Copy together with a copy of the letter under reply forwarded to:-

All Collectors,

All other Heads of Departments,

under the several departments of the Secretariat

The Secretary, Bombay Public Service Commission,

The Finance Department,

All other departments of the Secretariat,

The Deputy Accountant General, Baroda (through the Finance Department).

By order of the Governor of Bombay,

Sd/-
Chief Secretary to the Government of Bombay,

Political and Services Department.

COPY.

Copy of a letter No. TA/Pay/1791, dated the 23rd February 1950, from the Accountant General, Bombay, addressed to the Chief Secretary to the Government of Bombay, Political and Services Department, Bombay,

---

Subject:- Fixation of pay and seniority of servants of the State which have integrated or merged with the Province of Bombay.

I beg to invite a reference to G.R. Pol.& Services Deptt. No. 2735/46-II dt. the 20th May 1949 on the subject mentioned above and to state that the rules incorporated therein regulate the fixation of pay of State servants absorbed in Bombay Government service. It is presumped that the " date of absorption" is the date on which the State servant is appointed, whether in an officiating or permanent capacity, to a post duly sanctioned by Government or by any subordinate authority to whom the power to sanction the creation of posts might have been delegated by Government.

2. In G.R. Pol. and Services Department No. 2735/46dt. 28.3.49. it was directed that all ex-employees of the States referred to therein should be allowed to draw pay at the minimum of the scale of pay attached to the posts in which they were likely to be absorbed if the pay drawn by them while in State service was less than that minimum . It appears that the pay at these rules is to be allowed from the dates mentioned in para. 2 of the G,R. quoted till the date of absorption, irrespective of whether there were vacancies in sanctioned posts or not. This office may please be informed whether this view is correct.

3. It is presumed that the initial pay of the ex-employees of States of the Category referred to in para. 2 above, is when they are subsequently absorbed in service under the Government of Bombay to be fixed the date of absorption with reference to the basic pay which they would have drawn had they continued in State service and not with reference to they pay allowed to them under the Government Resolution of 28.3.49 quoted in para. 2.This may kindly be confirmed

4. A reference is invited to rule 5 of the rules referred to above which lays down that the next increment of a State servant shall be granted on the date on which an increment is earned in the prescribed scale. There are cases in which the rates of pay admissible from the dates of absorption are the minimum of the relevant prescribed scales and the persons concerned have also drawn under the orders quoted in para. 2 above) pay at those rates from dates earlier than the dates of absorption. It may please be stated whether in such cases it is intended that service for the period prior to the date of absorption should be allowed to count towards increment in the P.S. attached to the posts in which the persons are absorbed.

5. A reference is invited to clause (ii) of para. 1 of this office G.L. No.58(TM-28/2321) dt. 29.3.49. It is presumed that the Government decision contained therein should also be held applicable while fixing the pay of the absorbed personnel under the rules in the G.R.dt.20.5.49

6. It is requested that the presumption made in paras 1 and 5 above (if correct) may please be confirmed and orders may be issued on the points in paras 3 and 4.

Cambay State-Servants.
Fixation of initial pay of -in light of the revision of pay scales which was ordered in the April 1948 by the Cambay State.

GOVERNMENT OF BOMBAY,
Political and Services Department,

Corrigendum No. 2735/46-II,

Bombay Castle, 20th January 1951.

CORRIGENDUM: - In Government Resolution , Political and Services Department No. 2735/46-II dated the 12th October 1950 for the words and figures " Government Resolution, Political and Services Department, No. 2735/46-II dated the 29th May 1949 occurring in the preamble read " Government Resolution, Political and Services Department, No. 2735/46-II dated the 20th May 1949" and insert the word ' Resolution' in the beginning of the first line of the said Government Resolution.

By order of the Governor of Bombay,
Sd/-

For Chief Secretary to the Government of Bombay,
Political and Services Department.

To...

To

The Collector of Kaira,

The Treasury Officer, Kaira,

The Accountant General, Bombay, (thrpugh the Financial Department,)

The Finance Department,

All other Departments of the Secretariat,

The Executive Engineer, Kaira, } with a copy of Government

Superintending Engineer, North Gujarat Circle, } Resolution, Political and Services Department,

No. 2735/46-II dated the 12th October 1950.

Discharge State Servants:
Re-absorption of-in
Government Service.

GOVERNMENT OF BOMBAY.

POLITICAL AND SERVICES DEPARTMENT.

Circular No. 2735/46.

Bombay Castle, 29th December 1950.

CIRCULAR OF GOVERNMENT.

In pursuance of the provisions of rule I(A) (c) laid down by the Government Resolution , Political and Services Department, No. 2735/46, dated the 18th July 1949, the employees of the former States who were found to be surplus to the requirements of the administration were discharged. However in accordance with the po-licy of Government to absorb as many of these persons as possible in the Bombay State Service, many of them who were discharged in pursuance of the rule referred to above, have been subsequently re-employed under this Government . Government is pleased to direct that in the case of such former State Servants who have been re-employed under this Government the orders contained in the Government Resolution, Finance Department, No. 7983/33, dated the 26th September 1950, should not apply and that they should be contained in service, irrespective of their age at the time of re-employment under this Government and their qualifications.

By order of the Governor of Bombay,
S.G. DESAI,
for Chief Secretary to the Government of Bombay,
Political and Services Department.

The Secretary to the Governor,

The Secretary to the Honourable the Chief Minister,

The Accountant General, Bombay (through the Finance Department),

The Deputy Accountant General, Baroda (through the Finance Department),

The Prothonotary and Senior Master, High Court, Bombay (by letter),

The Registrar, High Court, Appellate Side, Bombay (by letter),

All Heads of Offices and Heads of Departments under the several Departments of the Secretariat,

The Finance Department,

All other Departments of the Secretariat.

No. of 1950.

Copy forwarded for information and guidance to-

Superseded by G.R.,
P.& S.D. No.2735/46,
dt. the 30-.5-51
(ABN 1051/54214)

NO. 2735/46.

POLITICAL AND SERVICES DEPARTMENT:

Bombay Castle, 10th January 1951.

SUBJECT:- Pension to employees of the former States.

MEMORANDUM.

The undersigned presents compliments to the Accountant General, Bombay, and with reference to his letter No. P.R.III/States/921, dated the 8th June 1950, on the subject noted above, is directed to state that Government is pleased to pass the following orders on the three points raised by him:-

(1) Whether Janjira State employees who had rendered less than 30 years service should get pension.- According to the District Superintendent of Police , under the Janjira State Rules, the persons with less than 30 years' service were also entitled to pension. A copy of these rules should be obtained and persons who have put in less than 30 years' service and have elected the Janjira State Rules should be allowed pension in accordance with the Janjira State Rules. If, however, the District Superintendent of Police, is unable to produce a copy of the Rules, i.e., is relying on practice only, the Janjira State Pensioners should be advised, in their own interest, to make a fresh election in favour of the Bombay Civil Services Rules.

(2)...

(2) How service which is not susceptible of verification should be verified. The service which is not susceptible of verification may be verified on the basis of contemporary evidence. In such cases, con-temporary evidence be collected and service should be verified on the basis of such evidence.

(3) Whether continuous service for not less than 10 years which it cannot be said whether it was permanent or temporary for want of State Pension Rules should be treated as permanent.- In cases in hich service cannot be treated as permanent or temporary for want of State Pensions Rules (and no other reason such as absence of Service Book, Local Record or incomplete entries), continuous service for not less than 10 years should be treated as permanent. The cases in which service was for less than 10 years and not in any permanent capacity, half of it should be treated as permanent for the grant of gratuity.

By order of the Governor of Bombay,

M.D. BHAT,

Chief Secretary to the Government of Bombay,

Political and Services Department.

To

The Accountant General, Bombay (through the Finance Department).

Copy, with a copy of the letter under reply forwarded to:-

The Deputy Accountant General, Baroda (through the Finance Department),

All Collectors,

All Heads of Departmental and Heads of Offices under the several Departments of the Secretariat

The Secretary, Bombay Public Service Commission,

The Finance Department,

All other Departments of the Secretariat.

COPY.

Copy of the letter from the Accountant General, Bombay No. P.R.III/State/921, datee the 8th June 1950, addressed to the Secretary to Govern-ment, Finance Department.

Subject:-----

SUBJECT:- Pension to Janjira State Police Personnel.

The following points are referred for favour of Government orders:-

1. Many pension cases of the Janjira State servants have been received in this office claiming pension under State Pension Rules. A reference to the State Pension Rules (vide extract enclosed) shows that pension was admissible to State servants on rendering 30 years' continuous service. Since in most of the ases the service was less than 30 years a reference was made to the District Superintendent of Police who has since now stated that the grant of pension to persons with less than 30 years was also contemplated under the State Rules. Since Political and Services Department in their letter No. 2735/46-5882-F, dated 22nd February 1950, has decided that when under State Rules the condition of permanenty in State Service was not necessary but only continuous service counted for pension, it may be so admitted for the grant of compensation pension, Govermet may please state whether service les than 30 years should salso be admitted for the grant of pension under State Rules.

2. The District Superintendent of Police has also stated that the service of the Janjira State servants is not susceptible of verification for want of State local records. In such cases it is presumed that the Specil Officer(Pensions), Finance Department, will have to certify after investigation whether such service should be admitted for the grant of pension. This presumption may please be confirmed.

3. Government Resolution, Political and Services Department, No 2735/46-II, dated 20th May 1949, has laid down that temporary continuous service for more than 10 years should be taken as permanent service for the fixation of pay in Government service. It is, therefore, for consideration whether the same condition can be applied to State cases where for want of State Pension Rules no definite conditions of service as Permanent or Temporary were prescribed for the State servants and their pensions may be based on the service which may be only continuous but not necessarily permanent . In cases where service was less than 10 years and not in any permanent capacity, half such service will be reckoned and gratuity given.

The orders of Government on the points raised above may please be issued early.

P.W.D.

E.B.(II).

Submitted for information.

Thro: F.B.(I) & Cashier. Id/-
Record. 6-2-51.

Id/- Id/- Id/-
5/2/51 7/2/51 7-2-51.

Id/-
7/2 S.A.S.
D.S.

No. 7240/33/47438-O. Finance Department,

Bombay Castle, 1st February 1951.

Subject:- Counting of interim relief forwards pension in case of State employees.

-.-.-.-.-.-

MEMORANDUM.

The undersigned presents compliments to the Accountant General, Bombay, and with reference to his letter No. P.R.III. States/1603 dated 27th July 1950, is directed to state that "interim relief" sanctioned by the former state Governments may be treated as pay for the purpose of calculating pensionable pay.

By order of the Governor of Bombay,

Sd/-

For Deputy Secretary to the Government of Bombay,

Finance Department.

Copy to:-

All Collectors,

All Departments of the Secretariat; and

All other Heads of Departments; and Heads of Offices under the several Departments of the Secretariat (except the Separate Department).

Fixation of pay, seniority, increments etc. of the Baroda State Servants in Bombay Government Service.

GOVERNMENT OF BOMBAY

Political and Services Department

Resolution No. 2735/46 -II

Bombay Castle, 29th January 1951.

Read Government Resolutions, Political and Services Department No. 2735/46-II dated the 20th May 1949 and the 12th September 1950.

RESOLUTION: - Government is pleased to direct that the Baroda State Servants absorbed under this Government whose initial pay on absorption is fixed under alternative 1 in paragraph 1 of Government Resolution, Political and Services Department No. 2735/46/-II dated the 18th September 1950, should be allowed to earn increments in the prescribed scale on the date when it fell due in the existing scale and not after serving for a complete incremental period in the prescribed scale.

By order of the Governor of Bombay,

S. G. DESAI

For Chief Secretary to the Government of Bombay,

Political and Services Department.

To

All Collectors,

All Heads of Departments under the Several Departments of the Secretariat,

All Departments of the Secretariat (except the Separate Department).

The Accountant General, Bombay

The Deputy Accountant General, Baroda,

The Registrar , High Court, Appellate Side, Bombay (By letter).

Superseded by G.R.,P.&S.D. No. 2735/46, dt. the 30-5-51.(ABN 1051/54214)

Absorption of officers and servants of the States which have been merged in the State of Bombay.

For further orders please see G.R. F.D., No. 6567/33-X, dt.19-10-53 (ABN 1053) 136799

Pl. see G.R., P and S.D. No.2751/46, dt. 15.11.51 (ABN 1051/104851)

GOVERNMENT OF BOMBAY.,
Political and Services Department,
RESOLUTION NO. 2735/46,
Bombay Castle, 7th August , 1950.

Read Government Resolution, Political and Services Department, No. 2735/46, dated the 18th July 1949 and corrigendum No. 2735/46, dated the 1st December 1949.

RESOLUTION:- In modification of paragraph (2) of Government Resolution, Political and Services Department, No. 2735/46, dated the 1st February 1949 Government is pleased to direct that leave due to the absorbed State servants in respect of services rendered in the States should be calculated in accordance with the Revised Leave Rules 1935, as subsequently amended by Government Resolution, Finance Department No. 6567/33, dated the 28th April 1949 , and that credit should be given for such amount of leave to the extent permissible under the Government Rules after deducting the leave already taken. If there is a minus balance it should be ignored.

2. Those absorbed state servants who choose to retire after absorption, should be treated on the same footing as those who retired voluntarily before absorption under Government Resolution No. 2735/46, dated the 18th July 1949, and they should be helf eligible only for such leave according to the State Rules as was due to them on the date of absorption.

By order of the Governor of Bombay,

M. D. BHAT.

Chief Secretary to the Government of Bombay.

Political and Services Department.

To

The Secretary to the Governor

The Secretary to the Honourable the Chief Minister,

The Accountant General, Bombay, (through the Finance Department),

* The Prothonotary and Senior Master, High Court, Bombay,

* The Registrar, High Court, Appellate Side, Bombay,

The Finance Department,

All other Departments of the Secretariat (exce-

sSeparate Department),

All Collectors,

The Commissioner-s of Divisions,

All other Heads of Departments and Heads of Offices

under the several departments of the Secretariat,

*The Secretary to the Government of India,

Ministry of States, New Delhi.

The Deputy Accountant General Baroda

By letter.

For further orders please see G.R., F.&S.D. No.FPS 1054 dt. the 1-10-54. (ABN 1054 /147467)

Fixation of ppay of absorbed State servants.

For further orders pl. see G.R., P.&. S.D. No.2735/46-II, dt. the 6-2-51. and G.L. P.&S No.2735/46-2122-F.dt. the 20-3-52. (ABN 1052) 28415

GOVERNMENT OF BOMBAY.
POLITICAL AND SERVICES DEPARTMENT.
Resolution No. 2735/46-II.
Bombay Castle, 3rd November 1950.

For further orders pl. see G.R., P. & S.D. No.,FPS 1054, dt. 1-10-54, (ABN1055,). 26749

Read Government Resolution, Political and Services Department, No. 2735/46-II. dated the 20th May 1989.

RESOLUTION.- In application of the orders contained in the Government Resolution referred to above, Government is pleased to direct that pending final fixation of the initial pay of State servants on absorption in Government service, in accordance with the rules contained in Government Resolution, Political and Services Department No. 2735/46-II, dated the 20th May 1949, the State servants may be allowed to draw the same pay which they were getting at the time of merger except whenx such pay is higher than the maximum of the scale of the post in which they are absorbed provided that it is certifed by the respective Heads of Departments that:-

(i) the pay drawn by a State servant before absorption is his basic pay" as per rule 2(a) of the rules contained in Government Resolution, Political and Services Department, No. 2735/46-II, dated the 20th May 1949 and that

(ii) his present pay is not higher by 20 per cent. or more than the basic pay drawn in the State service on 1st August 1947 (or on the date of entry into State service, if it is later than 1st August 1947) within the meaning of proviso (iv) of Rule 3(1) to Government Resolution, Political and Services Department, No. 2735/46-II, dated..

dated the 20th May 1949

By order of the Governor of Bombay

S. G. DESAI,

for Chief Secretary to the Government of Bombay,

Political and Services Department.

Pl. see G.E., P.& S.D. No.2736/46/18080, dt. 25.4.1951(ABN.1051/37160

To

The Secretary to the Gover nor,

The Secretary, to Bombay Public Service Commission,

The Secretary to the Honourable the Chief Minister,

The Accountant General, Bombay (through the Finance Depa rtment),

The Deputy Accountant General, Baroda(with 10 spare copies through the Finance Department),

The Prothonotary and Senior Master, High Court, Bombay (by Letter),

The Registrar, High Court, Appellate Side, Bombay (by letter),

All Heads of Departments and Heads of Offices under the several Departments of the Secretariat,

All Departments of the Secretariat.

No. of 1950.

Copy forwarded for information and guidance to

State Servants absorbed in the posts carrying the Bombay City pay- Scales.

Fixation of pay of the.....

GOVERNMENT OF BOMBAY,
Political and Services Department,
Resolution No. 2735/46,
Bombay Castle, 27th November 1950.

Read Government Resolutmion, Political and Services Department No. 2735/46, dated the 8th March 1950.

RESOLUTION: In amplication of Government Resolution , Politic -al and Services Department, No. 2735/46 dated the 8th March 1950, the Government of Bombay is pleased to direct that the State servants who are absorbed in the posts carrying the Bombay-Secretar--iat Scales of pay should be given the benefit of the orders contained in the said Government Resolution. Accordingly , their old payscales in Service under the former States should be treated as " Mofussil Scales" and they should be allowed the benefit of

Comp

Compensatory Local Allowance over their pay in the former State service for the purpose of fixation of their pay in Government service as laid down in Government Resolution, Political and Services Department, No. 2735/46 dated the 8th March 1950.

By order of the Governor of Bombay,

S. G. Desai

For Chief Secretary to the Government of Bombay,

Political and Services Department.

To

The Secretary to the Governor,

The Accountant General, Bombay, (through the Finance Department),

The Secretary, Bombay Public Service Commission,

* The Prothonotary and Senior Master , High Court, Bombay,

* The Registrar , High Court, Appellate Side, Bombay,

All other Heads of Departments and Heads of Offices in Greater Bombay,

The Finance Department,

All other Departments of the Secretariat.

The Deputy Accountant General , Baroda (through the Finance Department.)

* By letter.

For further orders please G.R.,P.&S.D. No.FPS 1054,dt. the 1-10-54.(ABN 1054/47467)

Fixation of pay of absorbed State servants Pl.See G.R., P.& S.D.No.2735/46-1808-F, dt. 25.4.1951 (ABN 1051/37160)

For further orders pl. see G.L. P.&S.D. No.2735/46-2122-F,dt. the 20-3-52(ABN 1052) 28915

GOVERNMENT OF BOMBAY.
POLITICAL AND SERVICES DEPARTMENT.
Resolution No. 2735/46-II.

Bombay Castle, 6th February 1951.

Read Government Resolution, Political and Services Department,No.2735/46-II, dated the 3rd November 1950.

RESOLUTION.- In amplification of the orders contained in the Government Resolution referred to above, Government is pleased to direct that even in cases which come under the exception-s mentioned in this Resolution, pending final fixation of their pay, the absorbed state servants should be allowed provisionally, the same pay which they were getting at the time of merger. In all such cases adjustments, if any, should be made later.

By order of the Governor of Bombay,

S.G. DESAI,

for Chief Secretary to the Government of Bombay,

Political and Services Departmtne.

To

The Secretary to the Governor,

The Secretary , Bombay Public Services Commission,

The Secretary to the Honourable the Chief Minister,

The Accountant General, Bombay (through the Finanmce Department),

The Deputy Accountant General, Baroda (through the Finance Departmen) with 10 spare copies,

The Prothonotary and Senior Master. High Court, Bombay (by letter),

The Registrar, High Court, Appellate Side, Bombay (by letter),

All Heads of Departments and Heads of Offices under the several Departments of the Secretariat,

The Finance Department,

All other Lepartments of the Secretariat.

No. of 1951

Copy forwarded for information and guidance to

No. 2735/46-33225-F
Political and Services Department
Bombay Castle, 3rd March 1951.

From

Shri M. D. Bhat, I.C.S.,

Chief Secretary to the Government of Bombay.,

Political and Services Department

To

The Accountant General, Bombay

(through the Finance Department)

Subject:- Rules for fixation of pay of state Servants absorbed in Government Service .
Interpretation of Rule 3(1) thereof.

Sir,

With reference to your letter No. OA/TA/States 732 dated 25th August 1930 addressed to the Secretary to Government, Finance Department, on the subject noted above, I am directed to state that the term" completed years of service" appearing in rule 3(1) of the Rules for the fixation of Pay and Seniority of State servants embodied in Government Resolution, Political and Services Department No. 2735/46-II dated the 20th May 1949 should not be taken as a unit and that for the purpose of the said rule, year should be treated as over as soon as a day passes after its close. For example, a person who has put in 3 years and 2 days' service, should be included in the group " over six years but not over twelve years" and not in the group "over three years but not over six years".

Yours faithfully,

S.G. DESAI

For Chief Secretary to the Government of Bombay,

Political and Services Department

Copy together with a copy of the letter under reply forwarded to:-

The Finance Department

The Deputy Accountant General, Baroda(through the Finance Department)

The Secretary , Bombay Public Service Commission,

The Prothonotary and Senior Master, High Court,

Bombay (by letter).

The Registrar, High Court, Appellate Side, Bombay (by letter.

All...

All Collectors

All Other Heads of Departments and Heads of Offices under the several Departments of the Secretariat.

All other Departments of the Secretariat.

Copy of letter from the Accountant General, Bombay No. O.A.T.A. States 432 dated the 25th August 1950 to the Secretary to Government, Finance Department, Bombay.

.....

Subject: - Fixation of pay of State servants absorbed in Government Service.

" I am to invite a reference to this office U.O. reply No. T.A. Pay 1564 dated 20-1-1950 regarding the fixation of pay of Shri D.T. Parmar and others of the Bureau of Economics and Statistics, Bombay. In the case of Shri D.T. Parmar (Serial No.4) even though he had rendered service for 6 years 9 months and 9 days the same was taken as falling under "over 3. years but not over 6 years" and not as "over 6 years but not over 12years" for the purpose of the fixation of his pay in accordance with rule 3 (1) of the Rules in G.R. Pol. & Services Department. No.2735/46-II dated 20-5-1949, taking "Completed year" as unit. This interpretation of the term "Completed years service" by the Finance Department has been made applicable by this office to the cases of the Ex-State servants absorbed in Govt. Service.

The interpretation is however, not acceptable to some officers out of whom has argued that a year is considered to be over as soon as a day is passed after its close. It is, therefore, requested that orders of Govt. clarifying the term" Completed years of Service" in rule 3 (1) ibid as interpreted in para 1 above may kindly be issued to remove all doubts and to avoid unnecessary correspondence in this respect."

Copy of a Government letter, Political and Services Department No. 2735/46/5495-F , dated the 29th January 1951 addressed to the Accountant General, Bombay, (through the Finance Department) and its accompaniment.

Subject: Pension to State Servants absorbed in Government Service.

"With reference to your letter No. P.R.III-States.3260 dated the 18th December 1950 on the subject noted above, I am directed to state that Government Resolution, Political and Services Department No. 2735/46 dated the 18th July 1949 is applica-ble to ex-State employees who were discharged or who retired from service as a result of the merger of the States and it does not apply to the ex-State employees who are absorbed in Government Service. The question whether such ex-State employees who are absorbed in Government Service and whose cases are governed by the Bombay Civil Services Rules should be granted concession admissible under Rule IV(c) of Government Resolution, Political and Services Department No. 2735/46 dated the 18th July 1949, does not therefore arise."

-.-.-.-.-.-.-.-

Copy of a letter No. PR. III-States . 3269 dated the 18th December 1950 from the Accountant General, Bombay.

Subject: Pension to State servants absorbed in Government service.

Reference: Government Resolution, Political and Services Department No. 2733/46, dated the 18th July 1949.

"Some cases have been received here of the State divisional who were absorbed in Government service after merger of the States and subsequently retired either on superannuation or invalidation. As their pension cases will be governed by regular B.C. S.R. it is not clear whether the concesaion of counting the temporary service (Rendered in States) towards pension at 1/2 as pansionable service (as allowed under Rule IV(c) of Government Resolution , Political and Services Department, No. 2735/46 dated the 18th July 1949) should also be allowed to such persons. Government orders in the matter are therefore solicited at an early date."

No. 2735/46/9509-F,
Political and Services Department,
Bombay Castle, 7th March 1951.

Forwarded to:-

The Deputy Accountant General, Baroda,

(through the Finance Department),

All Collectors,

All Departments of the Secretariat,

(except the Finance and Separate Departments)

All other Heads of Departments under the several departments

of the Secretariat.

for information and guidance t

By order of the Governor of Bombay,

Sd/-

For Chief Secretary to the Government of Bombay

Political and Services Department.

No. 2735/46-24452-F
Political and Services Department
Bombay Castle, 31st March 1951

From

Shri M.D. Bhat, I.C.S.,

Chief Secretary to the Government of Bombay,

Political and Services Department

To

The Accountant General,

Bombay
(through the Finance Department)

Subject:- Compensation pension xxxxx cases due to merger of States abnormal increases in pay granted by the former States prior to integration.

Sir,

With reference to Government letter, Political and Services Department No. 2735/46-24452-F dated the 11th December 1950, on the subject noted above, I am directed to state that for the words" is not higher than 20 % or more than the basic pay" appearing in paragraph 1 of the letter the following words should be substituted viz:

" is not higher by 20% or more, than the basic pay"

Yours faithfully,
Sd/-
For Chief Secretary to the Government of Bombay
Political and Services Department

Copy forwarded to:-

The Deputy Accountant General, Baroda (throgh the fFinance Department , with 10 spare copies).

The Finance Department,

All other Deparrments of the Secretariat,

All Heads of Departments under the several dBeapartments of the Secretariat.

For further orders
Pl. see G.R.,P.&S.D.
No. FPS 1054,dt.
1-10-54 (ABN 1055/26749)

37

Fixation of pay of absorbed Statex Servants.

GOVERNMENT OF BOMBAY.
POLITICAL AND SERVICES DEPARTMENT.
Resolution No. 2735/46-II.
Bombay Castle, 6th February 1951.

Read Government Resolution, Political and Services Department, No. 2735/46-II, dated the 3rd November 1950.

RESOLUTION- In amplification of the orders contained in the Government Resolution referred to above, Government is pleased to direct that even in cases which come under the exceptions mentioned in this Resolution, pend-ing final fixation of their pay, the absorbed state servants should be allowed provisionally, the same pay which they were getting at the time of merger. In all such cases adjustments, if any, should be made later.

By order of the Government of Bombay,

S.G.DESAI,
for Chief Secretary to the Government of Bombay,
Political and Services Department.

To

The Secretary to the Governor,
The Secretary, Bombay Public Service Commission
The Secretary to the Honourable the Chief Minister,
The Accountant General, Bombay (through the Finance Department)
The Deputy Accountant General, Baroda (through the Finance Department), with 10 spare copies,
The Prothonotary and Senior Master, High Court, Bombay (by lett
The Registrar, High Court, Appellate Side, Bombay (by letter),
All Heads of Departments and Heads of Offices under the severa Departments of the Secretariat,
The Finance Department,
All other Departments of the Secretariat.

No.E of 1951.

Copy forwarded for information and guidance to